

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BUTTE DIVISION

UNITED STATES OF AMERICA

and,

THE STATE OF MONTANA

Plaintiffs,

vs.

**ATLANTIC RICHFIELD
COMPANY,**

Defendant.

No. CV-89-39-BU-SEH

ORDER

On October 23, 2020, the United States lodged a Partial Consent Decree concerning the Anaconda Smelter National Priority Site.¹ The public comment period ran for 30 days and ended on November 30, 2020.² An Unopposed Motion to Enter Partial Consent Decree was filed by the United States on December 22, 2020, following review of public comments.³

¹ See Doc. 1185.

² See Doc. 1189 at 3.

³ See Doc. 1188.

The Court has considered the proposed Partial Consent Decree, the attached Record of Decision, and the public comments in its review and has determined the proposed decree is fair, adequate, reasonable, and comports with the purposes of CERCLA. The Partial Consent Decree makes Defendant responsible for the current and future costs of remediation,⁴ allows for remediation to begin prior to a statewide consent agreement,⁵ and requires a high standard for remediation.⁶ The decree comports with the goals of CERCLA by minimizing litigation costs, facilitating a resolution, and ensuring a speedier cleanup of relevant portions of the Anaconda Smelter site.⁷

ORDERED:

The United State's Motion to Enter Partial Consent Decree⁸ is GRANTED.

DATED this 28th day of January, 2021.


SAM E. HADDON
United States District Judge

⁴ See Doc. 1185-1 at 27.

⁵ See Doc. 1188 at 8.

⁶ See Doc. 1185-1 at 27.

⁷ See Doc. 1188 at 11.

⁸ See Doc. 1188.